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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,948	04/15/2004	Andreas Lehmann	11336-712 (P03048US0	7550
757	7590	06/07/2006	EXAMINER	
BRINKS HOFFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			BEAULIEU, YONEL	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/824,948	LEHMANN ET AL.	
	Examiner	Art Unit	
	Yonel Beaulieu	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed 31 March 2006 have been fully considered but they are not persuasive.

Applicant argues the Moroto's reference does not teach a "working" memory. The Examiner respectfully disagrees. First of all, "working" [memory] has not been defined as acquiring any special meaning in the art. Moroto's memory is definitely construed as a "working" memory.

Regarding Applicant's argument that Moroto et al. not teaching "divided" first memory area and second memory area, the Examiner respectfully disagrees. While claims are read in light of the specification, Applicant's specification (at page 12) simply states the memory "may be" divided. The Examiner has not read the claims to support such "division" of the memory. In other words, the argued claims have not recited such a division into a first memory and a second memory. "Partitioning" memory has not been disclosed. It appears what is argued goes beyond what is claimed.

It is still the Examiner's position Moroto teaches a third database as argued. The reference does not have to recite the claimed elements verbatim. One needs to consider the state of the art and, as well settled in the art, ROM includes corresponding block data.

Art Unit: 3661

In view of the above, the rejection is maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Moroto et al. (US 4,954,959).

Regarding claims 1 - 6, 10 – 12, 18 - 23, 27 - 29, 35, and 36, Moroto et al. teaches a database system for a navigation device, comprising: a first database comprising at least first data (device 16); a second database comprising at least second data independent of the first data (second device 17 is independent of device 16); where the first data comprises street information (from standard map data) and the second data comprises location information (individual guidance data); a working memory unit comprising a first memory area and a second memory area (items 16 and 17 are dedicated storage media with data sets), where the first data is stored in the first memory area and the second data is stored in the second memory area; and a processing unit (4; note col. 2, line 58 – col. 3, line 2; col. 4, line 58 – col. 5, line 28 at least). Moroto's teaching is a global positioning navigational system comprising a GPS receiver (10; see fig. 1 at least) that provides geographical position data to a navigation

Art Unit: 3661

device (col. 4, lines 47 – 54 at least) and providing/presenting (displaying on item 5; fig. 1) the data (col. 5, lines 35 – 41 at least).

Regarding claims 7, 8, 24, and 25, Moroto's system supports location information relating to hotels, restaurants, monuments, events, sport stadiums, schools, hospitals, buildings (landmarks) data relating to traffic signals or signage, restrictions in the direction of a street, "no passing" limitations, and road-related weather conditions (col. 4, line 58 – col. 5, line 28 and lines 35 – 57; col. 7, lines 7 – 16; and col. 10, lines 10 – 35 at least).

Regarding claims 9 and 26, Moroto's teaching includes Points of Interest (col. 3, lines 12 – 15 and col. 5, lines 63 – 68 at least).

Regarding claims 13, 14, 30, and 31, Moroto's teaching further supports Random Access Memory (RAM) – (col. 5, lines 35 – 62 at least).

Regarding claims 15 – 17 and 32 – 34, Moroto's teaching supports a third database comprising blocks of data/index (note item 19).

Regarding claims 37 – 39, Moroto's teaching further supports identifying the location information according to a predetermined requirement (the predetermined requirement being based upon GPS signal reception; col. 4, lines 47 – 54 at least).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (571) 272-6955. The examiner can normally be reached on Mon., Wed., and Thurs. between 0900 and 1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yonel Beaulieu
Primary Examiner
Art Unit 3661